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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,524	07/16/2003	Takafumi Ueno	P23974	7475
7055 7590 01/16/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER OLATUNJI, OLATUNDE O	

ART UNIT	PAPER NUMBER
2135	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/16/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary

Application No.

10/619,524

Applicant(s)

UENO, TAKAFUMI

Examiner

Olatunde Olatunji

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/16/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/16/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/11/2005, 09/18/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim(s) 1-21 have been presented for examination.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 10/14/2003, 03/19/2004 and 09/09/2005 was filed after the mailing date of 07/16/2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Drawings

Figure 15 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: The specification on page 13, lines 4-6 states the rights information, tool list and control graph are applied to the PSI generator 59 of the prior art but this don't follow with the specification of the first embodiment which actually applies to the PSI generator 61. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al., U.S. Patent No. 7,023,992 in view of Valenci et al., U.S. P.G. Pub. 2003/0005279 and in view of Blatter et al., U.S. Patent No. 5,878,135.

With the respect to claim 1, Kubota reference discloses:

encryption means (see col. 2, lines 27-29; col. 5, lines 32-36) for encrypting data and producing first encrypted data (see col. 6, lines 3-10);

program-specific information generating means (see col. 8, lines 17-20) for producing program-specific information containing a table (see Fig. 11; col. 8, lines 21-29; col. 16, lines 29-34, "program specific information") denoting the correlation between

first encrypted data and a program number of the first encrypted data (see col. 8, lines 21-29; col. 16, lines 35-50);

tool list generating means (see col. 8, lines 40-46) for producing a tool list containing a tool ID (see Fig. 4, col. 8, lines 47-51, PID Value) indicating a decoding tool (see Fig. 4; col. 8, lines 61-65, scramble key) for decrypting the first encrypted data (see Fig. 4; col. 9, lines 6-9);

multiplexing means (see Fig. 1, MUX; col. 2, lines 21-23) for multiplexing the first encrypted data (see col. 2, lines 25-29), program-specific information (see col. 8, lines 21-29), tool list (see col. 8, lines 47-51), control graph (see col. 8, lines 8-11).

Kubota reference doesn't explicit teach:

control graph generating means for producing a control graph indicating the instantiated location of the decoding tool in the receiving apparatus; and rights information generating means for producing rights information for the first encrypted data;

Valenci reference teaches:

control graph generating means (see pg. 3, ¶ [0028], Base Agent) for producing a control graph (see pg. 1, ¶ [0002] & ¶ [0003]; pg. 3, ¶ [0030], SA Table) indicating the instantiated location of the decoding tool in the receiving apparatus (see pg. 3, ¶ [0030], "base agent uses the pointer associated with a packet to access crypto information necessary to perform crypto operations on data packets");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota

invention include the control graph generator for if the control graph is lost, missing or unable to be added, the receiving apparatus will be unable to process data packets (see pg. 3, ¶ [0030]).

Blatter reference teaches:

rights information generating means (see col. 11, lines 39-49; col. 13, lines 9-25) for producing rights information (see Fig. 4; col. 13, lines 9-25) for the first encrypted data (see col. 11, lines 32-34, "encrypted broadcast program");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the rights information generating as Blatter for the purpose of billing the user for use of an encrypted broadcast program (see Blatter col. 11, lines 25-34). The combination would include the multiplexing of the rights information.

With the respect to claim 6, Kubota reference teaches wherein the multiplexing means (see Fig. 1, MUX col. 2, lines 21-23) multiplexes the decoding tool used for decryption (see Fig. 4; col. 8, lines 61-65, scramble key).

With the respect to claim 7, Kubota reference teaches wherein the multiplexing means (see Fig. 1, MUX col. 2, lines 21-23) multiplexes key information enabling decryption (see Fig. 4; col. 8, lines 61-65, scramble key).

With the respect to claim 2, Kubota reference discloses:

encryption means (see col. 2, lines 27-29; col. 5, lines 32-36) for encrypting data and producing first encrypted data (see col. 6, lines 3-10);

tool list generating means (see col. 8, lines 40-46) for producing a tool list containing a tool ID (see Fig. 4, col. 8, lines 47-51, PID Value) indicating a decoding tool (see Fig. 4; col. 8, lines 61-65, scramble key) for decrypting the first encrypted data (see Fig. 4; col. 9, lines 6-9);

multiplexing means (see Fig. 1, MUX; col. 2, lines 21-23) for multiplexing the first encrypted data (see col. 2, lines 25-29) and the program-specific information (see col. 8, lines 21-29).

program-specific information generating means (see col. 8, lines 17-20) for producing program-specific information containing a table (see Fig. 11; col. 8, lines 21-29; col. 16, lines 29-34, "program specific information") denoting the correlation between first encrypted data and a program number of the first encrypted data (see col. 8, lines 21-29; col. 16, lines 35-50), the tool list (see Fig. 4, col. 8, lines 47-51), the control graph (see col. 8, lines 8-11, control commands);

Kubota reference doesn't explicit teach:

control graph generating means for producing a control graph indicating the instantiated location of the decoding tool in the receiving apparatus; and rights information generating means for producing rights information for the first encrypted data;

Valenci reference teaches:

control graph generating means (see pg. 3, ¶ [0028], Base Agent) for producing a control graph (see pg. 1, ¶ [0002] & ¶ [0003]; pg. 3, ¶ [0030], SA Table) indicating the instantiated location of the decoding tool in the receiving apparatus (see pg. 3, ¶ [0030], “base agent uses the pointer associated with a packet to access crypto information necessary to perform crypto operations on data packets”);

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the control graph generator for if the control graph is lost, missing or unable to be added, the receiving apparatus will be unable to process data packets (see pg. 3, ¶ [0030]).

Blatter reference teaches:

rights information generating means (see col. 11, lines 39-49; col. 13, lines 9-25) for producing rights information (see Fig. 4; col. 13, lines 9-25) for the first encrypted data (see col. 11, lines 32-34, “encrypted broadcast program”); and

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the rights information generating as Blatter for the purpose of billing the user for use of an encrypted broadcast program (see Blatter col. 11, lines 25-34). The combination would include the program-specific information including the correlation between the first encrypted data and the rights information.

With the respect to claim 3, Kubota reference discloses:

encryption means (see col. 2, lines 27-29; col. 5, lines 32-36) for encrypting data and producing first encrypted data (see col. 6, lines 3-10);

tool list generating means (see col. 8, lines 40-46) for producing a tool list containing a tool ID (see Fig. 4, col. 8, lines 47-51, PID Value) indicating a decoding tool (see Fig. 4; col. 8, lines 61-65, scramble key) for decrypting the first encrypted data (see Fig. 4; col. 9, lines 6-9);

program-specific information generating means (see col. 8, lines 17-20) for producing program-specific information containing a table (see Fig. 11; col. 8, lines 21-29; col. 16, lines 29-34, "program specific information") denoting the correlation between first encrypted data and a program number of the first encrypted data (see col. 8, lines 21-29; col. 16, lines 35-50), the tool list (see Fig. 4, col. 8, lines 47-51), the control graph (see col. 8, lines 8-11, control commands);

multiplexing means (see Fig. 1, MUX; col. 2, lines 21-23) for multiplexing the first encrypted data (see col. 2, lines 25-29) and the program-specific information (see col. 8, lines 21-29).

rights information transmission means (see Fig. 1, element 2; col. 5, lines 11-14 & 22-26, SMS) for outputting the rights information;

Kubota reference doesn't explicit teach:

control graph generating means for producing a control graph indicating the instantiated location of the decoding tool in the receiving apparatus; and rights information generating means for producing rights information for the first encrypted data; and rights information transmission means for outputting the rights information;

Valenci reference teaches:

control graph generating means (see pg. 3, ¶ [0028], Base Agent) for producing a control graph (see pg. 1, ¶ [0002] & ¶ [0003]; pg. 3, ¶ [0030], SA Table) indicating the instantiated location of the decoding tool in the receiving apparatus (see pg. 3, ¶ [0030], "base agent uses the pointer associated with a packet to access crypto information necessary to perform crypto operations on data packets");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the control graph generator for if the control graph is lost, missing or unable to be added, the receiving apparatus will be unable to process data packets (see pg. 3, ¶ [0030]).

Blatter reference teaches:

rights information generating means (see col. 11, lines 39-49; col. 13, lines 9-25) for producing rights information (see Fig. 4; col. 13, lines 9-25) for the first encrypted data (see col. 11, lines 32-34, "encrypted broadcast program");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the rights information generating as Blatter for the purpose of billing the user for use of an encrypted broadcast program (see Blatter col. 11, lines 25-34). The combination would include the program-specific information (see Kubota Fig. 11; col. 8, lines 21-29; col. 16, lines 29-34, "program specific information) including the correlation between the first encrypted data (see Blatter col. 11, lines 32-34, "encrypted

broadcast program") and rights information (see Blatter Fig. 4; col. 13, lines 9-25), also outputting rights information (see Blatter Fig. 4; col. 13, lines 9-25) through the rights information transmission (see Kubota Fig. 1, col. 5, lines 11-14 & 22-26, SMS).

With the respect to claim 4, Kubota & Blatter combination teaches wherein the rights information transmission means (see Kubota Fig. 1, col. 5, lines 11-14 & 22-26, SMS) relates the rights information to the data (see Blatter Fig. 4; col. 13, lines 9-25).

With the respect to claim 5, Kubota & Blatter combination teaches wherein the program-specific information generating means (see Kubota col. 8, lines 17-20) relates the rights information to the data (see Blatter Fig. 4; col. 13, lines 9-25).

Claims 8-13 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al., U.S. Patent No. 7,023,992 in view of Blatter et al., U.S. Patent No. 5,878,135.

Valenci et al. 2003/0005279
and

With the respect to claim 8, Kubota reference discloses:
demultiplexing means (see Fig. 23, element 22) for separating a multiplexed signal (see col. 23, lines 33-36) containing first encrypted data into at least the first encrypted data and program-specific information (see Fig. 11; col. 23, lines 33-38);
tool list demultiplexing means (see col. 23, lines 33-40; col. 23, lines 48-51) for separating a tool list having a tool ID (see col. 23 line 57- col. 24 line 2) indicating a

decoding tool for decrypting the first encrypted data from the multiplexed signal (see Fig. 4, scramble key; col. 23, lines 35-43);

first control means (see col. 23, lines 39-40) for acquiring a tool according to a tool ID (see col. 23, lines 57-67, PID) acquired from the tool list, and instantiating the tool according to the control graph (see col. 23 line 60 – col. 24 line 2);

Kubota reference doesn't explicitly teach:

control graph demultiplexing means for separating a control graph indicating the instantiated location of the decoding tool in the receiving apparatus from the multiplexed signal; and rights information demultiplexing means for demultiplexing rights information for the first encrypted data from the multiplexed signal; and first rights management means for processing the first encrypted data according to the rights information.

Valenci reference teaches:

control graph demultiplexing means (see pg. 3, ¶ [0028], Base Agent) for separating a control graph (see pg. 1, ¶ [0002] & ¶ [0003]; pg. 3, ¶ [0030], SA Table) indicating the instantiated location of the decoding tool in the receiving apparatus from the multiplexed signal (see pg. 3, ¶ [0030], "base agent uses the pointer associated with a packet to access crypto information necessary to perform crypto operations on data packets");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the control graph demultiplexer to indicate to the receiving system how to decrypt the data (see pg. 3, ¶ [0030]).

Blatter reference discloses:

rights information demultiplexing means (see Fig. 1 element 115) for demultiplexing rights information (see col. 13, lines 9-26, copy protection data) for the first encrypted data from the multiplexed signal (see col. 14, lines 18-20, encrypted broadcast program);

first rights management means (see Fig. 1 element 115; col.11, lines 44-49, controller) for processing the first encrypted data according to the rights information (see col. 13, lines 9-26).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the rights information demultiplexing and first rights management as Blatter for the purpose of billing the user for use of an encrypted broadcast program (see Blatter col. 11, lines 25-34).

With the respect to claim 9, Kubota reference discloses:

demultiplexing means (see Fig. 23, element 22) for separating a multiplexed signal (see col. 23, lines 33-36) containing first encrypted data into at least the first encrypted data and program-specific information (see Fig. 11; col. 23, lines 33-38);

tool list demultiplexing means (see col. 23, lines 33-40; col. 23, lines 48-51) for separating a tool list having a tool ID (see col. 23 line 57- col. 24 line 2) indicating a decoding tool for decrypting the first encrypted data from the multiplexed signal (see Fig. 4, scramble key; col. 23, lines 35-43);

first control means (see col. 23, lines 39-40) for instantiating a tool with a tool ID (see col. 23, lines 57-67, PID) acquired from the tool list according to the control graph (see col. 23 line 60 – col. 24 line 2);

Kubota reference doesn't explicitly teach:

control graph demultiplexing means for separating a control graph indicating the instantiated location of the decoding tool in the receiving apparatus from the multiplexed signal; and rights information demultiplexing means for demultiplexing rights information for the first encrypted data from the program-specific information; and first rights management means for processing the first encrypted data according to the rights information.

Valenci reference teaches:

control graph demultiplexing means (see pg. 3, ¶ [0028], Base Agent) for separating a control graph (see pg. 1, ¶ [0002] & ¶ [0003]; pg. 3, ¶ [0030], SA Table) indicating the instantiated location of the decoding tool in the receiving apparatus from the multiplexed signal (see pg. 3, ¶ [0030], "base agent uses the pointer associated with a packet to access crypto information necessary to perform crypto operations on data packets");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the control graph demultiplexer to indicate to the receiving system how to decrypt the data (see pg. 3, ¶ [0030]).

Blatter reference discloses:

rights information demultiplexing means (see Fig. 1 element 115) for demultiplexing rights information (see col. 13, lines 9-26, copy protection data) for the first encrypted data from the program-specific information (see Fig. 4; col. 7, lines 56-59; col. 13, lines 27-35, CPSI);

first rights management means (see Fig. 1 element 115; col.11, lines 44-49, controller) for processing the first encrypted data according to the rights information (see col. 13, lines 9-26).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the rights information demultiplexing and first rights management as Blatter for the purpose of billing the user for use of an encrypted broadcast program (see Blatter col. 11, lines 25-34).

With the respect to claim 10, Kubota reference discloses:

demultiplexing means (see Fig. 23, element 22) for separating a multiplexed signal (see col. 23, lines 33-36) containing first encrypted data into at least the first encrypted data and program-specific information (see Fig. 11; col. 23, lines 33-38);

tool list demultiplexing means (see col. 23, lines 33-40; col. 23, lines 48-51) for separating a tool list having a tool ID (see col. 23 line 57- col. 24 line 2) indicating a decoding tool for decrypting the first encrypted data from the multiplexed signal (see Fig. 4, scramble key; col. 23, lines 35-43);

first control means (see col. 23, lines 39-40) for instantiating a tool with a tool ID (see col. 23, lines 57-67, PID) acquired from the tool list according to the control graph (see col. 23 line 60 – col. 24 line 2);

Kubota reference doesn't explicitly teach:

control graph demultiplexing means for separating a control graph indicating the instantiated location of the decoding tool in the receiving apparatus from the multiplexed signal; and rights information receiving means for receiving rights information for the first encrypted data; and first rights management means for processing the first encrypted data according to the rights information.

Valenci reference teaches:

control graph demultiplexing means (see pg. 3, ¶ [0028], Base Agent) for separating a control graph (see pg. 1, ¶ [0002] & ¶ [0003]; pg. 3, ¶ [0030], SA Table) indicating the instantiated location of the decoding tool in the receiving apparatus from the multiplexed signal (see pg. 3, ¶ [0030], "base agent uses the pointer associated with a packet to access crypto information necessary to perform crypto operations on data packets");

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the control graph demultiplexer to indicate to the receiving system how to decrypt the data (see pg. 3, ¶ [0030]).

Blatter reference discloses:

rights information receiving means (see Fig. 1 element 115) for receiving rights information (see col. 13, lines 9-26, copy protection data) for the first encrypted data (see col. 11, lines 39-46); and

first rights management means (see Fig. 1 element 115; col.11, lines 44-49, controller) for processing the first encrypted data according to the rights information (see col. 13, lines 9-26).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota invention include the rights information demultiplexing and first rights management as Blatter for the purpose of billing the user for use of an encrypted broadcast program (see Blatter col. 11, lines 25-34).

With the respect to claim 11, Kubota reference teaches a temporary storage means (see col. 5, lines 59-63) for temporarily storing the received first encrypted data; and reading means for reading the first encrypted data stored to the temporary storage means (see col. 23, lines 33-36, demultiplexer).

one of ordinary skill understands a multiplexer/demultiplexer is capable to temporarily store information like encrypted data into its memory before its read and sent to other functions in the receiver device.

With the respect to claim 12, Kubota reference teaches a file management means (see conditional access system) for deleting from the temporary storage means

the first encrypted data after the playback permit recorded in the rights information is expired (see col. 1, lines 33-44, pay-per-view).

With the respect to claim 13, Kubota reference teaches wherein the rights management means (see col. 11, lines 25-28, conditional access system) sends status information denoting the processing state of the first encrypted data (see col. 11, lines 28-36, billing information).

With the respect to claim 18, Kubota reference teaches wherein the first encrypted data (see col. 11, lines 32-34, encrypted broadcast program) is processed according to the first rights information (see col. 11, lines 39-46, copy protection data in the CPSI stream).

With the respect to claim 19, Blatter reference teaches a file management means for deleting the first encrypted data from the temporary storage means (see Blatter col. 11, lines 22-28; col. 11, lines 44-49) after sending it to a second receiving apparatus (see Blatter Fig. 1, element 105, storage medium).

With the respect to claim 20, Kubota reference teaches a video decoding means (see Fig. 23, element 26V) for extracting and decoding video data from the multiplexed signal (see col. 23, lines 42-43).

With the respect to claim 21, Kubota reference teaches an audio decoding means (see Fig. 23, element 26A) for extracting and decoding audio data from the multiplexed signal (see col. 23, lines 42-43).

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota, Valenci and Blatter as applied to claim 8 above, and further in view of Swix et al., United States P.G. Pub. No. 2004/0250273.

With the respect to claim 14, Kubota, Valenci and Blatter combination doesn't explicitly teach separating the rights information into first rights information and second rights information;

rewriting rights information in the multiplexed signal to second rights information, and outputting a revised multiplexed signal;

wherein the revised multiplexed signal is output to a according to a request signal from the second receiving apparatus.

Swix reference teaches:

separating the rights information (see pg. 6, ¶ [0054]; pg. 7, ¶ [0063]) into first rights information and second rights information (see pg. 7, ¶ [0063], multimedia content item);

rewriting rights information in the multiplexed signal to second rights information , and outputting a revised multiplexed signal (see pg. 7, ¶ [0062], second information signal);

wherein the revised multiplexed signal (see pg. 4, lines ¶ [0038]) is output to a according to a request signal from the second receiving apparatus (see Swix pg. 3, ¶ [0024], "requesting that the digital multimedia content be delivered to the digital STB").

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota, Valenci and Blatter combination include the ability to separate the rights information, rewrite the rights information and output the revised signal base on a request for the multimedia content can ensure that proprietary and/or copyrighted material is protected as it is transmitted across the residential broadband data network. (see pg. 2, lines ¶ [0021]).

With the respect to claim 15, Kubota, Valenci and Blatter combination doesn't explicitly teach separating the rights information into first rights information and second rights information;

wherein the second rights information and multiplexed signal are output to a second receiving apparatus according to a request signal from the second receiving apparatus.

Swix reference teaches:

separating the rights information (see pg. 6, ¶ [0054]; pg. 7, ¶ [0063]) into first rights information and second rights information (see pg. 7, ¶ [0063], multimedia content item);

wherein the second rights information and multiplexed signal (see pg. 4, lines ¶ [0038]) are output to a second receiving apparatus (see pg. 7, ¶ [0062], second information signal) according to a request signal from the second receiving apparatus

(see Swix pg. 3, ¶ [0024], “requesting that the digital multimedia content be delivered to the digital STB”).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota, Valenci and Blatter combination include the ability to separate the rights information, rewrite the rights information and output the revised signal base on a request for the multimedia content can ensure that proprietary and/or copyrighted material is protected as it is transmitted across the residential broadband data network. (see pg. 2, lines ¶ [0021]).

With the respect to claim 16, Kubota, Valenci and Blatter combination doesn't explicitly teach wherein the rights management means receives data indicating how the first encrypted data was processed by a second receiving apparatus, and sends status information describing processing by said receiving apparatus and the second receiving apparatus.

Swix reference teaches:

rights management means receives data (see pg. 7, ¶ [0063], multimedia content item usage indicator) indicating how the first encrypted data was processed by a second receiving apparatus (see pg. 6, ¶ [0054]) and sends status information describing processing by said receiving apparatus and the second receiving apparatus (see pg. 7, ¶ [0063], usage message)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota, Valenci and Blatter combination include the ability to separate the rights information, rewrite the rights information and output the revised signal base on a request for the multimedia content can ensure that proprietary and/or copyrighted material is protected as it is transmitted across the residential broadband data network. (see pg. 2, lines ¶ [0021]).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota, Valenic and Blatter as applied to claim 8 above, and further in view of Utsumi et al., U.S. Patent No. 6,999,947.

With the respect to claim 17, Kubota, Valenci and Blatter combination doesn't explicitly teach converting the first encrypted data to second encrypted data; and remultiplexing means for remultiplexing the second encrypted data with the second rights information.

Utsumi reference teaches:

converting the first encrypted data to second encrypted data (see Fig. 1; col. 3, lines 26-35); and remultiplexing means for remultiplexing the second encrypted data with the second rights information (see Fig. 1, element 23; col. 7, lines 35-40).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have Kubota,

Valenci and Blatter combination include the converting the encrypted data and transferring the encrypted data with the rights information for contributing to a protection of the copyright for the contents (see col. 1, lines 27-32).

Prior Art Made of Record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and patent applications are cited to further show the state of the art with respect to a

United States Patent No. 5,237,611 to Rasmussen et al., is cited to show a encryption/decryption apparatus with non-accessible table of keys.

United States Patent No. 6,021,199 to Ishibashi, is cited to show a motion picture data encrypting method and computer system and motion picture data encoding/decoding apparatus to which encrypting method is applied.

United States Patent No. 6,473,858 to Shimomura, is cited to show a method and apparatus for broadcasting data with access control.

United States Patent No. 7,035,363 to Ikeda, is cited to show a information signal reception and transmission apparatus and method.

United States Patent No. 7,075,994 to Ihara, is cited to show a signal transmission method and signal transmission apparatus.

United States P.G. Pub. No. 2001/0023484 to Ichimura, is cited to show a transmission apparatus, reception apparatus, transmission method, reception method and recording medium.

United States P.G. Pub. No. 2002/0116612 to Yamamichi et al., is cited to show a cryptocommunication system, transmission apparatus, and reception apparatus.

Conclusion

All claims are rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olatunde Olatunji whose telephone number is (571) 270-1020. The examiner can normally be reached on M-TR 7:30-5pm EST & 2nd Friday 7:30-4pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2135

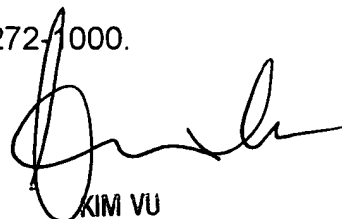
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O.O.

Olatunde Olatunji

12/16/2006

1/5/07



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